

**Texas Department of Insurance**  
**Notice of Workers Compensation Filing:**  
**National Council on Compensation Insurance *Item B-1432***

**Description:**

- The National Council on Compensation Insurance (NCCI) filed *Item B-1432—Establishment of Basic Manual Appendix G—Dispute Resolution Process* to replace state-specific miscellaneous rules for the NCCI dispute resolution process with NCCI's national rule.
- Policyholders use NCCI's dispute resolution process to resolve disputes about how a carrier applies workers compensation rating system rules, including classifications and experience rating modifications. *Item B-1432* creates new Appendix G to consolidate rules for NCCI's dispute resolution process in one place and to make the dispute resolution process rules more consistent between states. For Texas, *Item B-1432* would:
  - replace the Texas-specific rule for NCCI's dispute resolution process with the national rule;
  - amend the Texas Amendatory Endorsement to update references to and terminology for the dispute resolution process;
  - amend the Texas Amendatory Endorsement to allow only the policyholder—instead of any party to the dispute—to appeal an NCCI appeals board decision on a dispute to TDI;
  - incorporate Texas-specific requirements in a table format in Appendix G, including the existing five-member voting board; and
  - eliminate the requirement that the five members must come from specified constituencies (carrier, agent, public).

**Affected NCCI Manuals:**

- *Basic Manual for Workers Compensation and Employers Liability Insurance*
- *Forms Manual for Workers Compensation and Employers Liability Insurance*

**Effective Date:** The filing proposes that the changes in *Item B-1432* apply to disputes that are pending with or received by NCCI on and after July 1, 2017.

**Review and Comment:**

- TDI prepared this notice. You may review a copy of NCCI's filing in the Office of the Chief Clerk of the Texas Department of Insurance, 333 Guadalupe Street, Austin, Texas 78701; or on the TDI website at [www.tdi.texas.gov/rules/2016/nccimanual.html](http://www.tdi.texas.gov/rules/2016/nccimanual.html) during the comment period.
- To comment on the filing or to request a hearing, submit two copies of your comments or hearing request by 5 p.m., Central time, on September 2, 2016. Refer to TDI ECase No. 11294.

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- Send one copy to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, Mail Code 113-2A, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.
- Send the other copy to Marianne.Baker@tdi.texas.gov, or to Marianne Baker, Property and Casualty Lines Office, Mail Code 104-PC, Texas Department of Insurance, P.O. Box 149104, Austin, Texas 78714-9104.

**Procedure:** NCCI filed *Item B-1432* (TDI ECase No. 11294; SERFF Tracking Nos. NCCI-130589142 and NCCI-130588705) with the Texas Department of Insurance on June 3, 2016, under the workers compensation manual rule filing procedure adopted in Commissioner's Order No. 3142, dated March 21, 2014.

Issued in Austin, Texas on July 29, 2016.



Norma Garcia, General Counsel  
Texas Department of Insurance